

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORKDUSTY BUTTON and MITCHELL TAYLOR  
BUTTON,

Plaintiffs,

-against-

THE NEW YORK TIMES COMPANY, JULIA  
JACOBS, LINDSEY RUFF, SABINA  
MARIELLA, DAWN SCHNEIDER, DEMETRI  
BLAISDELL, and DAVID MCCRAW,

Defendant.

1:24-cv-05888-MKV

**SCHEDULING ORDER**

MARY KAY VYSKOCIL, United States District Judge:

The Defendants submitted requests for pre-motion conferences on their anticipated motions to dismiss the Plaintiff's complaint. [ECF Nos. 22, 24-25]. Plaintiffs opposed the request, asked that the case move forward into discovery, and notified the Court of their intention to file an amended complaint [ECF Nos. 28-29]. After reviewing the arguments set out in the parties' submissions, the motions for a pre-motion conference are DENIED, plaintiffs are GRANTED leave to file an amended complaint on the schedule set forth below, and defendants are GRANTED leave to file motions to dismiss *after* the amended complaint is filed on the schedule set forth below. This will be Plaintiffs' last opportunity to amend the complaint in response to arguments raised in the parties' pre-motion letters. [ECF Nos. 22, 24-25].

IT IS FURTHER ORDERED that the amended complaint is due on or before January 24, 2025. Defendants must respond to any amended complaint within 14 days of its filing. In the event Defendants respond by filing a motion to dismiss, the briefing for the motion or motions will be on the schedule set forth in Local Rule 6.1(b), meaning any opposition brief must be served

within 14 days after a motion to dismiss is filed, and any reply papers must be filed within seven days after an opposition brief is filed.

The Plaintiffs' motion for waiver of PACER fees will be resolved in due course. [ECF No. 30]. Plaintiffs are directed to file any documents via email at [pro\\_se\\_filing@nysd.uscourts.gov](mailto:pro_se_filing@nysd.uscourts.gov).

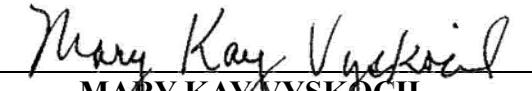
Any request for an extension or adjournment shall be made by letter filed on ECF and must be received at least 48 hours before the deadline.

The clerk of Court is respectfully requested to terminate docket entries 22, 24, and 25.

**The parties are reminded that failure to comply with this Order or with any order of the Court or failure to comply with the FRCP, the Local Rules for the SDNY or this Court's Individual Practice Rules, or the parties' obligations thereunder may result in sanctions, including monetary penalties on counsel and/or the parties, dismissal or preclusion of claims, defenses, arguments, or evidence.**

**SO ORDERED.**

**Dated: December 23, 2024  
New York, NY**

  
MARY KAY VYSKOCIL  
United States District Judge